

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**In the Matter of COEYMANS MARINE TOWING, LLC,
d/b/a CARVER MARINE TOWING AS OWNER AND
OPERATOR OF M/T MACKENZIE ROSE, (IMO No. 8968765),
Her Cargo, Engines, Boilers, Tackle, Equipment, Apparel, and
Appurtenances, etc., *in rem* petitioning for Exoneration from or
Limitation of Liability in allision with Norfolk and Portsmouth Belt
Line Railroad Company Main Line Railroad Bridge occurring June
15, 2024 in and about the Elizabeth River, Virginia.**

Case No.: 2:24cv490

**NORFOLK AND PORTSMOUTH BELT LINE
RAILROAD COMPANY,**

Consolidated Plaintiff/Claimant,

and

EVANSTON INSURANCE COMPANY,

Intervening Plaintiff/Claimant,

v.

JAMES MORRISEY,

Defendant.

ORDER

Before the Court is Norfolk and Portsmouth Belt Line Railroad Company and Evanston Insurance Company's ("Claimants") Joint Motion to Compel Inspection of the M/T Mackenzie Rose and for Sanctions, ("Joint Motion"), and a memorandum in support. ECF Nos. 67–68. Petitioner Coeymans Marine Towing, LLC d/b/a Carver Marine Towing ("Carver") filed an opposition, ECF No. 74, and Claimants replied, ECF No. 76. The matter has been fully briefed and the Court decides the Joint Motion without a hearing. Fed. R. Civ. P. 78(b).

For good cause shown, Claimants' Joint Motion to Compel is **GRANTED in part** as follows:

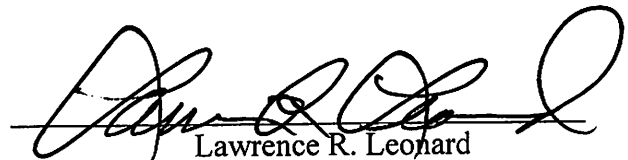
1. Carver is **ORDERED** to grant inspection of the M/T Mackenzie Rose **within ten days of the date of this Order**.

2. Carver is further **ORDERED** to provide Claimants' counsel with **at least four days' notice** of when the tug will be made available.

3. The Court takes under advisement that part of the Joint Motion seeking attorneys' fees and expenses related to Claimants' Joint Motion as a sanction. Claimants are **DIRECTED** to file a Notice with the Court at the expiration of the aforementioned **ten days** informing the Court of the extent of Carver's compliance with this Order. Carver may file a response, if need be, within **seven days** thereafter. The Court will then determine whether sanctions are appropriate.

The Clerk is **DIRECTED** to forward this Order to counsel for Claimants and to Carver.

It is so **ORDERED**.


Lawrence R. Leonard
United States Magistrate Judge

Norfolk, Virginia
August 11, 2025